

State Water Resources Control Board
Division of Drinking Water

January 27, 2017

Certified Mail
7012 3460 0003 1112 8557

Joseph Livesay
Coleman National Fish Hatchery
24411 Coleman Fish Hatchery Rd
Anderson, CA 96007

TRANSMITTAL OF CITATION NO. 01-02-16C-035

Dear Mr. Livesay,

The State Water Resources Control Board, Division of Drinking Water, has issued Coleman National Fish Hatchery a citation, which is attached.

If you have any questions regarding this matter, please call staff engineer Steve Watson at (530) 224-4828 or me at (530) 224-4800.

Sincerely,

A handwritten signature in black ink, reading "Michael J. McNamara".

Michael J. McNamara, P.E.
Lassen District Engineer
Drinking Water Field Operations Branch

cc: Richard L. Hinrichs, Chief, Northern California Section

Enclosure

sww \ 4500036 Coleman \ File: Enforcement

STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

TO: Coleman National Fish Hatchery
24411 Coleman Fish Hatchery Rd.
Anderson, CA 96007

Attn: Joseph Livesay, Supervisory Facility Operations Specialist

**CITATION FOR VIOLATION OF
CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64423(a)(2)
PUBLIC WATER SYSTEM NO. 4500036
CITATION NO. 01-02-16C-035
Issued on January 27, 2017**

Section 116650 of the California Health and Safety Code authorizes the issuance of a citation to a public water system for violation of the California Safe Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with Section 116270) (hereinafter “California SDWA”), or any regulation, standard, permit or order issued or adopted thereunder.

The State Water Resources Control Board (hereinafter "Board"), acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division (hereinafter "Deputy Director"), hereby issues a citation to the Coleman National Fish Hatchery (hereinafter, Hatchery) (24411 Coleman Fish Hatchery Rd,

Anderson, CA 96007) for violation of California Code of Regulations (CCR), Title 22, Section 64423(a)(2).

APPLICABLE AUTHORITIES

Section 116650 of California Health and Safety Code provides:

(a) If the department determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the department may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.

(b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.

(c) A citation may specify a date for elimination or correction of the condition constituting the violation.

(d) A citation may include the assessment of a penalty as specified in subdivision (e).

(e) The department may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.

1 **California Code of Regulations, Title 22, Section 64423(a)(2) provides, in relevant**
 2 **part:**

3 (a) Each water supplier shall collect routine bacteriological water samples as
 4 follows:

5 (2) The minimum number of samples for nontransient-noncommunity water
 6 systems shall be based on the known population served as shown in Table 64423-A
 7 during those months when the system is operating.

8
 9 Table 64423-A

10 Minimum Number of Routine Total Coliform Samples

11 Monthly Population	12 Service	13 Minimum Number
14 Served	15 Connections	16 of Samples
17 25 to 1000	18 15 to 400	19 1 per month

20 **STATEMENT OF FACTS**

21 The Hatchery is a public water system classified as a non-transient non-community
 22 water system. This classification is based on a served population of approximately 36
 23 employees through 14 service connections. The Hatchery's water system includes a
 24 well, pressure tank, and UV disinfection system. The Hatchery operates their water
 25 system under Water Supply Permit No. 01-02-01P-001, issued on September 17, 2001.

26 During the month of November 2016, the Hatchery failed to collect and report a routine
 27 bacteriological sample.



1
2
3 **DETERMINATIONS**
4

5 The Division has determined that the Hatchery violated Section 64423(a)(5), Title 22, of
6 the CCR, in that the Hatchery failed to collect one routine bacteriological sample and
7 report the results for the month of November 2016.
8

9 **DIRECTIVES**
10

11 The Hatchery is hereby directed to take the following actions:
12

- 13 1. Comply with Section 64424(a)(5), Title 22, of the CCR in all future monitoring
14 periods.
15
- 16 2. Within 30 days of the issuance of this Citation, but in no case later than
17 **February 28, 2017**, notify all persons served by the Hatchery of the monitoring
18 and reporting violation as required by Section 64463.4 and Section 64465, Title
19 22, of the CCR. Notification shall be completed in accordance with each of the
20 following:
21 a. Posting the notice contained in Attachment 'A' in conspicuous locations
22 throughout the area served by the Hatchery.
23 b. Provide the notice contained in Attachment 'A' by publication in a local
24 newspaper to reach persons not likely to be reached by a public posting.
25 Changes and/or modifications to Attachment 'A' shall not be made unless
26 approved by the Division.
27

1 3. Complete and return Attachment 'B' entitled "Compliance Certification" by
2 **March 10, 2017**. A copy of the notices used to provide public notification shall
3 be attached to the form.

4
5
6
7 All documents required by this Citation shall be submitted to the Board at the following
8 address:

9
10 Michael J. McNamara, P. E.
11 Lassen District Engineer
12 Division of Drinking Water
13 State Water Resources Control Board
14 364 Knollcrest Drive, Suite 101
15 Redding, CA 96002

16
17
18
19 As used in this Citation, the date of issuance shall be the date of this Citation; and the
20 date of service shall be the date of service of this Citation, personal or by certified mail,
21 on the Hatchery.

22
23 Nothing in this Citation relieves the Hatchery of its obligation to meet the requirements
24 of the California SDWA or any regulation, permit, standard or order issued or adopted
25 thereunder. The Division reserves the right to make such modifications to this Citation,
26 as it may deem necessary to protect public health and safety. Such modifications may
27 be issued as amendments to this Citation and shall be effective upon issuance.

FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the Board to: issue a citation with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any permit, regulation, permit or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the Board to take action to suspend or revoke a permit that has been issued to a public water system if the system has violated applicable law or regulations or has failed to comply with an order of the Board; and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with or violates an order of the Board. The Board does not waive any further enforcement action by issuance of this citation.

PARTIES BOUND

This Citation shall apply to and be binding upon the Hatchery, its officers, directors, shareholders, agents, employees, contractors, successors, and assignees.



SEVERABILITY

The Directives of this Citation are severable, and the Hatchery shall comply with each and every provision thereof, notwithstanding the effectiveness of any other provision.

1-27-2017

Date

Michael J. McNamara

Michael J. McNamara, P.E.

Lassen District Engineer

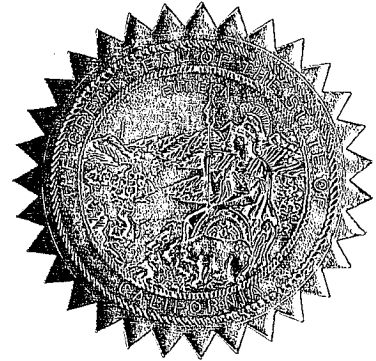
Division of Drinking Water

State Water Resources Control Board

Attachments:

'A' Public Notification Template

'B' Compliance Certification



CERTIFIED MAIL 7012 3460 0003 1112 8557

cc: Richard L. Hinrichs, Chief, Northern California Section

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.
Tradúzcalo o hable con alguien que lo entienda bien.

Monitoring Requirements not met for Coleman National Fish Hatchery's Domestic Water System

Our water system recently violated a drinking water standard. Although this incident was not an emergency, as our customers, you have a right to know what happened and what we did to correct the situation.

We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. During November 2016, we did not complete the all the required testing for total coliform bacteria.

What Should You Do?

There is nothing you need to do at this time.

The table below lists the contaminant(s) we did not properly test for during the last year.

Contaminant	Required sampling frequency	Month when sampling was not performed	Number of samples taken
Total Coliform Bacteria	One sample per month	November 2016	0

What Happened? What Was Done?

Routine bacteriological sampling was not completed during November 2016. We have since taken the required samples each month, and these samples show we are meeting drinking water standards. Our plan is to continue collected bacteriological samples each month.

For more information please contact Joseph Livesay, Coleman National Fish Hatchery at (530) 365-8622.

COMPLIANCE CERTIFICATION

Citation Number: **01-02-16C-035**

Name of Water System: **Coleman National Fish Hatchery**

System Number: **4500036**

As required by Section 116450 of the California Health and Safety Code, I certify that the users of the water supplied by this water system were notified of the bacteriological monitoring violation during November 2016. In addition, I certify that Coleman National Fish Hatchery has complied with the directives of this citation as indicated below:

<u>Required Action</u>	<u>Date Completed</u>
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Public Notification, as required by Directive 2

Signature of Water System Representative

Date

Attach a copy of the Posted and Newspaper notice.

THIS FORM MUST BE COMPLETED AND RETURNED TO THE DIVISION NO LATER THAN March 10, 2017.

Disclosure: Be advised that Section 116725 and 116730 of the California Health and Safety Code states that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in county jail not to exceed one year, or by both the fine and imprisonment.